

## March 1, 2018 Board of Directors draft meeting minutes

Meeting Minutes  
Board of Addiction & Prevention Professionals  
Park Place Center, 3101 W. 41<sup>st</sup> Street, Sioux Falls, SD 57105  
March 1, 2018 - 9:30 am (CST)

Members Present: Nicole Bowen, Ellen Feiner, Amy Hartman, Linda Peitz, Diane Sevensing, & Jill Viedt  
Kara Graveman participated via conference call

Member Absent: Terry Brown

DSS Staff: Robert McCarthy joined via conference call

Others in Attendance: Paula Koller & Tina Nelson

Purpose: The BAPP's purpose is to protect the public through the development and establishment of generally accepted standards of professionalism and competence to be used in the recognition, certification and licensure of addiction and prevention professionals in South Dakota.

- I. Sevensing called the meeting to order at 9:32 am.
- II. Sevensing called the roll. A quorum was present.
- III. Viedt made a motion to approve the following additions to the agenda: G.Brostad renewal application /independent practice; I.B.N. ACT 5-year deadline and re-test policy; initial credentialing & continuing professional training requirements; possibility of changing Board meeting dates. Hartman seconded the motion. Motion passed.
- IV. Peitz made a motion to approve the December 7, 2017 Board of Directors meeting minutes. Bowen second the motion. Motion passed.
- V. Conference call with Cynthia Moreno Tuohy, Executive Director of NAADAC from 9:34 to 10:23 a.m. Sevensing is asking the Board to approve the NAADAC exam, which would be utilized by the BAPP at a state and national level. The Board was in agreement that more information is needed prior to making a decision. There was discussion regarding the possibility of the BAPP administering the exam more than twice a year and allowing applicants to take the exam prior to completing their work experience hours.
- VI. Sevensing called for Public Input at 11:00 a.m. Hearing none, she proceeded with the agenda.
- VII. Viedt made a motion to approve the budget/financial report. Peitz seconded the motion. Motion passed.

- VIII. Discussion continued regarding the Governor's Interstate Compact for the Temporary Licensure of Professionals.
- IX. At 12:34 p.m. Sevensing moved the meeting into Executive Session pursuant to SDCL 1-25- 2(3) to review and discuss confidential and privileged legal matters with the BAPP's General Counsel, Jeff Bratkiewicz. The matters to be reviewed and discussed include, but not limited to, pending ethical complaints and investigations, regulatory and sensitive internal matters, potential litigation, and legal training and information provided by the State of South Dakota concerning state professional licensing boards.
- X. Sevensing moved the Board out of Executive Session at 1:19 p.m.
- XI. 2018-2 Peitz made a motion to dismiss the complaint. The matter is considered closed and no further action will be taken. Feiner seconded the motion. Graveman abstained. Motion passed.
- XII. Bowen made a motion regarding the D.C. matter, reflected in the December 7, 2017 minutes, modifying the dollar amount to \$1000.00. Peitz seconded the motion. Motion passed.
- XIII. 2017-3 Continue with HPAP participation.
- XIV. 2017-7 On January 5, 2018 the BAPP received a fax from IHS, that included a Progress Note signed by a Family Nurse Practitioner. The Board reviewed the documentation. Viedt made a motion requiring the practitioner provide additional information, to include a letter or other documentary evidence signed by a physician, verifying she/he is not currently under medical / psychiatric restrictions or limitations that would prevent her/him from working as a credentialed professional. Hartman seconded the motion. Motion passed.
- XV. 2018-1 Peitz made a motion authorizing Bratkiewicz to issue a letter of concern / warning, reminding the practitioner that he/she is required to follow employer and BAPP policy and procedures, especially those concerning client records and electronic data. The agency and the practitioner are to resolve the return and/or destruction of the electronic data. No formal action will be taken. Viedt seconded the motion. Motion passed.
- XVI. Bowen made a motion authorizing Bratkiewicz to send a letter to C.F. reflecting it's difficult for practitioners to obtain the work experience required for certification or licensure prior to meeting the 5-year felony standing requirements. The letter will also reflect it's difficult for the Board to determine whether the work experience meets the standards required for testing without reviewing a completed application. Feiner seconded the motion. Motion passed.
- McCarthy rejoined the meeting via teleconference at 1:24 p.m.
- XVII. The Board reviewed Mr. Dosch's email of February 19, which suggested a date for a teleconference to address workforce development challenges. This date does not work for a majority of the BAPP members. Nelson will correspond with Mr. Dosch, and request he provide three additional dates and times which he and the SDCSAD's Workforce Subcommittee have available for the teleconference. Upon receipt of this information, the Board will choose a date, and Nelson will coordinate the conference call.

XVIII. The Board's intent is to create an alternative status for SD BAPP credentialed professionals who lapse and want to re-apply for ACT status, as these individuals do not meet the requirements for trainee status. Hartman made a motion permitting an individual to regain certification or licensure status after the fifteen (15) day reinstatement period and within two years following the lapsed status, by submitting the \$150 reinstatement fee, renewal application, annual renewal fee, and 20 or 40 hours of continuing professional training, depending upon the amount of time the status lapsed. The hours of continuing professional training must be completed within the current cycle. Any practitioner who grandfathered to licensure shall regain LAC status if they meet the requirements of this new reinstatement policy. The date the application is processed is the date that will appear on the certificate. This policy does not pertain to anyone with a lapsed status of two years or more. Practitioners who have lapsed beyond two years must complete all requirements under the current provision for either CAC or LAC, complete the application process, pay the required fee, and retest. Peitz seconded the motion. Motion passed.

XIX. Sevensing asked the Board to consider eliminating the bachelor's degree required for Certified Prevention Specialists. Peitz and Bowen will continue gathering information regarding this matter by contacting the Prevention Representative at DSS, the Prevention Resource Center, and communicating with previous Board members.

XX. In order to be reinstated, G. Brostad is to provide the exact dates of his employment history, the date he began practicing as a private independent counselor, submit the 'Work Experience Verification for Independent Practice' form, and remit payment for the reinstatement fee. The required information must be received in the administrative office (or postmarked) by March 15, 2018 to avoid a lapse in status.

XXI. It was the Board's consensus that the ACT 5-year deadline for I.B.N. will be December 31, 2019. Policy requires him to complete 15 hours of continuing professional training prior to making application for certification or licensure. All academic and work experience requirements must also be met prior to making application for testing.

XXII. Nelson discussed the confusion some newly credentialed practitioners have regarding when their 2-year compliance period begins for continuing professional training. Nelson inquired if language should be added to the Standards Manual to provide clarification. It was the Board's consensus that additional language is not necessary.

XIII. Nelson inquired about the possibility of changing the Board meeting months / dates due to the office work schedule (i.e. end of the month renewals, beginning of the month lapse letters, and testing in March & September). Nelson will bring a draft to the next meeting showing a possible schedule for quarterly board meetings.

XIV. Bowen made a motion to adjourn the meeting at 3:40 p.m. Viedt seconded the motion. Motion passed.

**BAPP office closure / inclement weather**  
**State of SD Emergency Office Closing Policy**

references, the agency can rely on a defense of good faith if the reference was in writing. Telephone inquiries are answered by telling the caller that it is the policy of the state to respond only to written requests. Written requests should be accompanied by an authorization, release, and waiver.

Employees must not give references on inmates or former inmates. These references must be handled by the appropriate person at the Department of Corrections.

#### References within State Government

If a reference request comes from another state agency, the designated person may respond either in writing, verbally or over the e-mail system. A signed authorization, release, and waiver is not necessary. All other guidelines apply to giving references within state government.

#### Intern References

Human resource managers may authorize those persons who supervise interns to respond in writing to written reference requests relating to those interns that they have supervised.

### ***Emergency Office Closing Policy***

State employees will always be expected to deliver service because state government cannot close completely; it must continue to provide emergency services, coordinate government responses to disasters, and care for citizens who are entrusted to our institutions. State government will do whatever possible to accommodate state employees during emergency events, however, it does need to maintain adequate staffing to ensure the safety of citizens and continue state operations.

This policy does not mean employees should take undue risks during inclement weather. Employees who believe they cannot safely reach the worksite or travel home at the end of the scheduled work day should make arrangements with their supervisor to be absent from work.

Outlined below is the process for executive branch agencies under the direction of the Governor to follow when determining whether to close operations of a state office due to natural, man-made, or health-related emergencies which disrupts state government facilities or operations. An emergency includes but is not limited to; inclement weather, utility failure, fire, terrorism, or other forced evacuations.

#### **Who has Authority to Close an Office(s)?**

1. The Governor or his designee can close any state office or offices in any location.
2. A Cabinet member has the authority to close their state office in any location for an isolated incident.

#### **What are the Criteria for a Cabinet Member to Close an Office?**

A cabinet member or their designee may close a specific office when they have met the following criteria:

1. Verify the office either lacks sufficient staff to adequately function or the closing emergency prevents the office from safely functioning.

2. Ask BHR to coordinate the closure of the office with agencies that have employees in the same building, geographic or affected area.
  3. Consult the Governor's Office on the office closure prior to final decision and sending a notice to employees.
  4. Communicate and/or coordinate office closure with local government as needed.
  5. Notify media covering the affected area as soon as possible. However, do not rely upon media announcements as the sole means of communication. If possible, clients with scheduled appointments should be contacted to cancel the appointment. Voice mail systems should be updated to reflect the office closing.
- Other offices should not be closed unless the above conditions have been met.

**What is the Procedure for Reopening an Office?**

In coordination with BHR, the affected cabinet member should regularly reevaluate emergency conditions so that the office can resume the normal schedule as soon as is reasonable.

***Seat Belt Policy***

All state employees who are driving or are passengers in state-owned vehicles covered by the state's automobile liability insurance policy are required to wear seat belts, both in the front and back seats. (SDCL 32-38-5; Executive Order 88-7)

***Solicitations on State Premises***

It is the policy of the state of South Dakota that commercial vendors may not solicit business on state property or solicit state employees during working hours. Working hours include breaks and lunch periods if the employee is on state grounds.

Subject to prior approval by management, employees may solicit for charitable purposes using their own time by adjusting their work week to make up the time or by using vacation leave or leave without pay. Activities should be scheduled so that the soliciting employee does not interfere with co-workers' performance. Agency human resource managers will not assume responsibility for coordination of charitable activities.

Please contact your human resource manager if you have any questions regarding this policy.

***State Employee Bloodborne Pathogen Procedures - Short Guide***

Time is critical with Bloodborne exposures. When in doubt, report the exposure right away to your supervisor and seek guidance. If your supervisor is not available, SEEK MEDICAL ATTENTION IMMEDIATELY.

A Significant Bloodborne Exposure is an occupational risk exposure to blood or potentially infectious body fluid by:

1. needle stick, puncture or cut by an object through the skin
2. direct contact of mucous membrane (eyes, mouth, nasal, etc)
3. exposure of broken skin to blood or other potentially infectious body *fluids* such as:
  - semen

Alternative status for BAPP credentialed professionals who lapsed  
March 1, 2018 motion (XVIII)



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## DSS Boards & Commissions Meeting Guidelines

# Department of Social Services Boards & Commissions Meeting Guidelines



It is the expectation of the Department of Social Services that public information and meeting materials for board and commission meetings be transparent, timely and accurate.

Contents

What is South Dakota Open Meetings Law? ..... 3

Who Does the Open Meetings Law Apply To? ..... 3

Open Meetings..... 3

    In-person Meetings..... 3

    Teleconferences..... 4

Meetings Closed to the Public ..... 4

    Executive Sessions ..... 4

    Procedure for Executive Sessions ..... 4

Meeting Notices..... 4

    Sample Meeting Timeline ..... 5

Posting Meeting Documents..... 5

    Sample Meeting Agenda ..... 6

Taking Meeting Minutes ..... 7

    Draft Minutes..... 7

    Meeting Minutes Example..... 8

Disclaimer..... 9

## Department of Social Services

### What is South Dakota Open Meetings Law?

South Dakota Open Meetings Law embodies the principle that the public is entitled to the greatest possible information about public affairs and is intended to encourage public participation in government. [SDCL 1-25](#) requires that official meetings of public bodies must be public and noticed in advance of the meetings.

While the open meetings law does not define "official meeting," specific statutes relating to cities, townships, counties, and school districts define what constitutes an official meeting. The State of South Dakota Office of the Attorney General also takes the position that a meeting must be open to the public if:

- 1) A legal quorum of the public body is present at the same place at the same time; and
- 2) Official business, meaning any matter relating to the activities of the entity, is discussed.

### Who Does the Open Meetings Law Apply To?

South Dakota Open Meetings Law applies to all public bodies "of the state or its political subdivisions" that exercise "sovereign power derived from state law." This includes cities, counties, school boards and other public bodies created by ordinance or resolution, such as appointed boards, task forces, and committees, so long as they have authority to actually exercise sovereign power.

### Open Meetings

#### In-person Meetings

In addition to statutory requirements, the Department of Social Services is fully committed to transparency and would like to provide some additional information regarding public accessibility of official board meetings. DSS requires in-person meetings to be accessible both in person and via telephone (as a minimum method) or via the internet or web-meeting.

Boards and Commissions can facilitate these meetings using a variety of methods including:

- 1) Utilizing tools like Skype or Livestream which may still require a phone line; OR
- 2) Establishing a dial in number or conference line for people to participate by phone.

Meeting notices and agendas should clearly indicate how interested persons can arrange for meeting access via telephone. How to dial in to the meeting, or who to call for the RSVP process, should be clearly stated in the same place in the notice or agenda as meeting location information.

## Teleconferences

Teleconference meetings are allowed. These meetings can be an information exchange conducted by audio or video if a place is provided for the public to participate by phone. If less than a quorum is present at the location open to the public, arrangements must be made for the public to listen by telephone or internet. The public must be notified of teleconference meetings under the same notice requirements as any other meeting. Members are deemed in attendance if the member answers present to the roll call for the purpose of determining a quorum. All votes shall be taken by roll call.

## Meetings Closed to the Public

### Executive Sessions

The requirement to provide one or more places for the public to listen to the teleconference does not apply to an executive or closed meeting. Executive or closed meetings may be held for the sole purposes of:

- 1) Discussing personnel issues pertaining to officers or employees;
- 2) Consideration of the performance or discipline of a student, or the student's participation in interscholastic activities;
- 3) Consulting with or reviewing communications from legal counsel about proposed or pending litigation or contractual matters;
- 4) Employee contract negotiations; or
- 5) To discuss marketing or pricing strategies of a publicly-owned competitive business.

The statute also recognizes that executive session may be appropriate to comport with other laws that require confidentiality or permit executive or closed meetings.

### Procedure for Executive Sessions

Motions for executive sessions must refer to the specific state law allowing for the executive session (e.g. "pursuant to [SDCL 1-25-2\(3\)](#)). To avoid public confusion a best practice would be for a board to explain the reason for going into executive session. An example would be: "Motion to go into executive session pursuant to [SDCL 1-25-2\(1\)](#) for the purpose of discussing a personnel matter," or "Motion to go into executive session pursuant to [SDCL 1-25-2\(3\)](#) for the purpose of consulting with legal counsel." Executive session discussion must be strictly limited to the announced subject. No official votes may be taken on any matter during an executive session. The public body must return to open session before any official action can be taken.

## Meeting Notices

[SDCL 1-25-1.3](#) Notice of meetings of the state and its boards, commissions, and departments shall provide public notice of a meeting by posting a copy of the proposed agenda at the principal office of the board, commission, or department holding the meeting. The proposed agenda shall include the date, time, and location of

the meeting; it must be visible, readable, and accessible to the public. The Department of Social Services values public input. Effective July 1, 2018, and in accordance with [SDCL 1-25-1](#), the chair of the board shall reserve a period for public comment during each meeting. The agenda shall be posted at least three business days before the meeting is scheduled to start according to the agenda. 3 business days does not include the day the agenda is posted, Saturdays, Sundays, or legal holidays.

The Department of Social Services will post all meeting notices to the South Dakota Boards and Commissions Portal at <http://boardsandcommissions.sd.gov/>. To meet meeting notice requirements, meeting notices must be submitted electronically to the following email address: [DSSBoards&Commissions@state.sd.us](mailto:DSSBoards&Commissions@state.sd.us) 48 hours before the notice must be posted.

The public must be notified of teleconference meetings under the same notice requirements as any other meeting. All votes shall be taken by roll call.

### Sample Meeting Timeline

Scheduled meeting date	Monday, May 22, 2017
Date to post the agenda / notice	Tuesday, May 16, 2017
Date to post meeting documents if available	Tuesday, May 16, 2017
Date to post approved agenda & *draft minutes	Tuesday, June 6, 2017

\*Approved minutes are posted the day following the meeting they were accepted as final.

### Posting Meeting Documents

[SDCL 1-25-1.4](#) State boards, commissions, or departments required to provide public notice shall make the notice available on a state website designated by the commissioner of the Bureau of Finance and Management, if the information exists:

1. Financial statements;
2. Audit reports;
3. A list of the members of the board or commission;
4. A schedule of future meetings;
5. Public meeting materials that are available before a public meeting;
6. Meeting minutes; and
7. Annual reports

The Department of Social Services will post all required information to the South Dakota Boards and Commissions Portal at <http://boardsandcommissions.sd.gov/>. Required documents must be submitted electronically to the following email address: [DSSBoards&Commissions@state.sd.us](mailto:DSSBoards&Commissions@state.sd.us).

**Meeting Agenda**  
**Name of Board, Commission or Advisory Council**  
**Building/Location, City, SD Zip Code**  
**Month Day, Year**  
**Time AM/PM to Time AM/PM (Time Zone)**

**Call In Number: (605-XXX-XXXX)**  
**Access Code: (XXXXXXX)**

**Member Listing**

- |                  |                  |
|------------------|------------------|
| 1. <Member Name> | 6. <Member Name> |
| 2. <Member Name> | 7. <Member Name> |
| 3. <Member Name> | 8. <Member Name> |
| 4. <Member Name> | 9. <Member Name> |

**Others in attendance:**

**Purpose:** Summary statement of the Board, Commission or Advisory Council (shall be to guide or advise the ...)

	When	Agenda Item	Who
1.	<Time>	Call to Order/Welcome and Introductions	<Name>
2.	<Time>	Roll Call	<Name>
3.	<Time>	Approval of Agenda	<Name>
4.	<Time>	Approval of Minutes	<Name>
5.	<Time>	Action Item	<Name>
6.	<Time>	Action Item	<Name>
7.	<Time>	Executive Session	<Name>
8.	<Time>	Other business	<Name>
9.	<Time>	Public Testimony/Public Comment Period	<Name>
10.	<Time>	Set Next Meeting Date	<Name>
11.	<Time>	Adjourn	<Name>

Individuals requiring assistive technology or other services in order to participate in the meeting should submit a request to <Contact Person> by phone or email at least **1 day prior to the meeting** in order to make accommodations available.



## Taking Meeting Minutes

State of South Dakota [Bureau of Human Resources](#) offers a 2.5 hour class on the art of taking meeting minutes for a nominal fee. The course covers subjects such as preparing to take minutes, the scope and focus of minutes, how to take minutes at a board meeting, recording action items, transcribing minutes, administrative duties and accountability.

## Draft Minutes

[SDCL 1-27-1.17](#) Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to [§ 1-25-1](#) that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of [Chapter 1-26](#).

The Department of Social Services will post all meeting minutes to the South Dakota Boards and Commissions Portal at <http://boardsandcommissions.sd.gov>. To meet meeting minute requirements, draft minutes must be submitted electronically within 9 days after the meeting to the following email address: [DSSBoards@Commissions@state.sd.us](mailto:DSSBoards@Commissions@state.sd.us).

## Meeting Minutes Example

Meeting Minutes  
Name of Board, Commission or Advisory Council  
Building/Location, City, SD Zip Code  
Month Day, Year  
Time AM/PM to Time AM/PM (CST) / (MST)

Call Information:  
Call In Number: (605-XXX-XXXX)  
Access Code: (XXXXXXX)

Members Present:

Members Absent:

DSS Staff Present:

Others in Attendance:

**Purpose:** Summary statement of the Board, Commission or Advisory Council  
(The purpose of the board shall be to guide or advise the ...)

- I. **Call to Order/Welcome and Introductions** <Name>  
<Member Name> called the meeting to order at <Time> <AM/PM> and welcomed members to the meeting.
- II. **Roll Call** <Name>  
<Member Name> called the roll. A quorum was present.
- III. **Approval of Agenda** <Name>  
<Member Name> made a motion to approve the meeting agenda.  
<Member Name> seconded the motion. **MOTION PASSED.**
- IV. **Approval of Minutes** <Name>  
<Member Name> made a motion to approve the <Date> meeting minutes.  
<Member Name> seconded the motion. **MOTION PASSED.**
- V. **Action Item** <Name>
- VI. **Action Item** <Name>
- VII. **Executive Session** <Name>  
<Member Name> made a motion to go into executive session pursuant to SDCL 1-25-2(1) for the purpose of discussing a personnel matter. **OR**  
<Member Name> made a motion to go into executive session pursuant to

SDCL 1-25-2(3) for the purpose of consulting with legal counsel. **MOTION PASSED.**

VIII. Public Testimony/Public Comment Period <Name>

IX. Set Next Meeting Date <Name>

X. Adjourn <Name>

<Member Name> made a motion to adjourn the meeting at <Time>  
<AM/PM>. <Member Name> seconded the motion. **MOTION PASSED.**

**Meeting Adjourned at (Time of day AM/PM).**

**Disclaimer**

The information contained in this document is provided as a quick reference guide, intended to help DSS boards and commissions comply with open public meeting requirements; it is exemplary in nature and is not intended to be comprehensive.

## AN ACT

ENTITLED, An Act to revise certain provisions regarding meetings of certain public bodies.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 1-25-1 be amended to read:

1-25-1. The official meetings of the state, its political subdivisions, and any public body of the state or its political subdivisions are open to the public unless a specific law is cited by the state, the political subdivision, or the public body to close the official meeting to the public. For the purposes of this section, a political subdivision or a public body of a political subdivision means any association, authority, board, commission, committee, council, task force, school district, county, city, town, township, or other agency of the state that is created or appointed by statute, ordinance, or resolution and is vested with the authority to exercise any sovereign power derived from state law. For the purposes of this section, an official meeting is any meeting of a quorum of a public body at which official business of that public body is discussed or decided, or public policy is formulated, whether in person or by means of teleconference.

It is not an official meeting of one political subdivision or public body if its members provide information or attend the official meeting of another political subdivision or public body for which the notice requirements of § 1-25-1.1 have been met.

Any official meeting may be conducted by teleconference as defined in § 1-25-1.2. A teleconference may be used to conduct a hearing or take final disposition regarding an administrative rule pursuant to § 1-26-4. A member is deemed present if the member answers present to the roll call conducted by teleconference for the purpose of determining a quorum. Each vote at an official meeting held by teleconference shall be taken by roll call.

If the state, a political subdivision, or a public body conducts an official meeting by teleconference, the state, the political subdivision, or public body shall provide one or more places

at which the public may listen to and participate in the teleconference meeting. For any official meeting held by teleconference, which has less than a quorum of the members of the public body participating in the meeting who are present at the location open to the public, arrangements shall be provided for the public to listen to the meeting via telephone or internet. The requirement to provide one or more places for the public to listen to the teleconference does not apply to an executive or closed meeting.

The chair of the public body shall reserve at every official meeting by the public body a period for public comment, limited at the chair's discretion, but not so limited as to provide for no public comment.

If a quorum of township supervisors, road district trustees, or trustees for a municipality of the third class meet solely for purposes of implementing previously publicly-adopted policy, carrying out ministerial functions of that township, district, or municipality, or undertaking a factual investigation of conditions related to public safety, the meeting is not subject to the provisions of this chapter.

A violation of this section is a Class 2 misdemeanor.

An Act to revise certain provisions regarding meetings of certain public bodies.

\_\_\_\_\_  
I certify that the attached Act  
originated in the

HOUSE as Bill No. 1172

\_\_\_\_\_  
Chief Clerk  
\_\_\_\_\_

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1172  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
\_\_\_\_\_

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
\_\_\_\_\_

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State

Retesting policy, September 2017 minutes



XXVI. The Board reviewed the September testing update.

XXVII. Koller made changes and updated the Clinical Supervisor Code of Ethics form. Hartman made a motion to approve the changes. Peitz seconded the motion. Motion passed.

XXVIX. The Board reviewed D.Rose request for continuing professional training for the 'clinical portion' of the Acudetox Training. Bontreger made a motion to deny the request. The Board determined the BAPP calculated and awarded the appropriate amount of continuing professional training. It was their consensus that the clinical portion appears to focus on applying the knowledge gained through the training, rather than learning the technique itself (practice related and not instructional training). Hartman seconded the motion. Motion passed.

XXX. IC&RC Exam Administration Retest Policy: After four consecutive failed attempts, boards must require candidates to take remedial action before a subsequent four testing attempts. Viedt made a motion to implement the following remedial action: After four consecutive failed attempts, a candidate is required to complete 15 hours of continuing professional training, focusing on the area(s) they received the lowest performance/score(s) on the exam. Brown seconded the motion. Motion passed.

XXXI. Sevening, Viedt and Hartman will continue to research the NCC AP credentialing and cost, and report their findings at the December Board meeting.

XXXII. Robert McCarthy indicated DSS received three nominations for the open professional's position. However, he did not have the names available. Mr. McCarthy stated he would email the information to the BAPP, for the Board's review.

XXXIII. No Public Testimony.

XXXIIV. Next meeting date: December 7, 2017.

XXXV. Viedt made a motion to adjourn the meeting at 4:45 p.m. Hartman seconded the motion. Motion passed.

Meeting Adjourned at 4:45 p.m.

## **RETESTING**

An applicant who fails the IC&RC Written Examination may retest during the next immediate testing cycle. Applicants are required to submit a letter of intent to retest and pay the re-testing fee. The letter and fee must be received by January 1 or July 1 prior to the next testing cycle in order to test in that cycle. The applicant may retest **two times** and only during the next **two consecutive testing cycles**.

An applicant who has not successfully passed the examination **within three consecutive testing cycles** will be required to complete all requirements under the **current** provisions for either certification or licensure; complete an application for certification or licensure; pay the required fees; and, successfully complete the examination process.

## **STATUS UPGRADE**

A Certified Addiction Counselor (CAC), in active and good standing, who wishes to upgrade to a Licensed Addiction Counselor (LAC) will need to complete the academic and work experience requirements for LAC.

Upon completion of the academic and work experience requirements for LAC, the Certified Addiction Counselor may apply for an upgrade in status by submitting an 'Application for Upgrade'; documenting the supervised work experience requirements; submitting official transcripts documenting the completion of the course requirements for the upgrade; and, paying the required application fee.

An upgrade application packet can be requested from the BAPP Administrative Office by submitting a request in writing and paying the application fee; or, by downloading the application from the BAPP website at no cost.

An application can be denied if the applicant fails to provide accurate and complete responses to the Board's questions and requests for information in the application process.

A completed application for status upgrade must include the following:

- (1) Address / Employment Information,
- (2) Educational and Academic Data Form,
- (3) Signed Professional Code of Ethics form,
- (4) Signed Authorization and Release of Information form that includes a statement of non-felony or completion of felony sentencing requirements,
- (5) Official transcripts for all post-secondary coursework,
- (6) Work History Documentation and Work Experience Verification forms,
- (7) Supervisor's Evaluation and Recommendation form,
- (8) Three professional recommendations,
- (9) Written job description for the current position held, and
- (10) Payment of the required fee.

Applicants are exempt from having to retake the IC&RC Written Examination if there is documentation of having successfully completed the written examination process.

submit a request for special examination accommodations accompanied by a health-care provider's documentation for the accommodations needed for the examination to the board 60 days prior to the examination date.

**Source:** 32 SDR 225, effective July 3, 2006; transferred from § 46:33:07:01, 40 SDR 58, effective October 9, 2013.

**General Authority:** SDCL 36-34-12(1)(3)(4).

**Law Implemented:** SDCL 36-34-12(1)(3)(4).

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**20:80:07:02. Examination for prevention specialist. Repealed.**

**Source:** 32 SDR 225, effective July 3, 2006; transferred from § 46:33:07:02, repealed, 40 SDR 58, effective October 9, 2013.

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**20:80:07:03. Retesting requirements.** An applicant who fails the written examination may retest by submitting a letter of intent to retest and the required fee. The applicant may retest two times and only during the next two consecutive testing cycles. The letter and fee must be received by January 1 or July 1 prior to the next testing cycle in order to test in that cycle. An applicant who has not successfully passed the examination within three consecutive testing cycles is required to reapply and must meet the current standards and criteria at the time of application for certification or licensure.

**Source:** 32 SDR 225, effective July 3, 2006; transferred from § 46:33:07:03, 40 SDR 58, effective October 9, 2013.

**General Authority:** SDCL 36-34-12(1)(3)(4)(5)(7).

**Law Implemented:** SDCL 36-34-12(1)(3)(4)(5)(7).

**Cross-Reference:** Fee schedule, § 20:80:03:02.

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**20:80:07:04. Request extension for retesting. Repealed.**

**Source:** 32 SDR 225, effective July 3, 2006; transferred from § 46:33:07:04, repealed, 40 SDR 58, effective October 9, 2013.

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**20:80:07:05. Failure of certification examinations during final cycle of trainee recognition period. Repealed.**

**Source:** 32 SDR 225, effective July 3, 2006; transferred from § 46:33:07:05, repealed, 40 SDR 58, effective October 9, 2013.

Manual. If examination materials must be stored over the weekend, they must be secured in a locked location until shipping.

9. Failure to adhere to any of these policies may result in the implementation of the *Exam Compromise* policy.

A candidate who failed has the option to have their exam hand scored by the testing company. The Hand Score Test Request Form and fee must be submitted to the Corporate office no later than 30 days after the scores are received.

#### **4.06 (1): Exam Administration for Computer Based Testing (CBT)**

All CBs must use computer-based testing except in rare special requests with approval. Candidates wishing to take an IC&RC exam through computer based testing may only do so with the approval of an IC&RC member board and at approved testing sites. Computer Based Exams may be offered on an on-demand basis. CBs must follow the appropriate exam registration procedures as instructed by the current testing company.

Candidates in need of special accommodations must have their CBs approval for the accommodations. CBs will relay the accommodations to the Corporate office at least 30 days prior to the candidates requested exam date. The Corporate office will then coordinate the accommodations with the testing company. Any costs associated with the accommodations will be paid by the CB.

Procedures for cancelling or rescheduling exams, including rescheduling due to inclement weather, will be followed according to the testing company's policies.

Candidate exam scores are final and cannot be appealed. Candidates will be required to wait 90 days from their last exam date to retake the exam. Due to exam security, the 90-day waiting period cannot be waived under any circumstances.

Candidates who believe that some unusual event or condition related to the administration of their examination caused a significant adverse effect on their performance may submit a grievance regarding the exam administration. An exam grievance may not be used to challenge the design of the exam, the exam content, or a failing score. Grievances must be submitted to the Corporate office in writing within 14 days after the exam in question. Written grievance statements must be dated and signed by the candidate and describe the situation in as much detail as possible. A grievance fee, determined by the Corporation, must accompany the written grievance statement.

#### **4.06 (2): Exam Administration Retest Policy**

Candidates needing to retake an examination must wait 90 days after the original test date. After four consecutive failed attempts, boards must require candidates to take remedial actions before a subsequent four testing attempts. The required remedial actions are at the discretion of the board. Remedial actions can include, but are not limited to, additional supervision, training, education, etc.

IC&RC Policy

Retirement status / clinical supervision

## CHAPTER 8 - CHANGE IN STATUS

### RETIREMENT STATUS

A certified or licensed practitioner, in good standing, who is age 62 or older and is unemployed or employed in the profession on a part time basis (20 hours per week or less) at the time of certification or licensure renewal is eligible to apply for retirement status. A written request to change from 'active' to 'retirement' status must be submitted to the BAPP Administrative Office prior to the practitioner's annual renewal due date, which is the last day of the practitioner's birth month.

If applying for retirement status in an even-numbered year (when continuing education documentation is reported to the BAPP), a practitioner shall submit 40 hours of continuing education if singly credentialed (60 hours if dually credentialed) for the 2-year compliance period just ending.

If applying for retirement status in an odd-numbered year (when continuing education documentation is not reported to the BAPP), a practitioner shall obtain 30 hours for the next 2-year compliance period if singly credentialed (i.e. 20 hours for the year just ending of active status and 10 hours for the next year of retirement status). If dually credentialed 45 hours of continuing education is required (i.e. 30 hours for the year of active status and 15 hours for the year of retirement status).

Going forward, a practitioner on retirement status is required to complete half of the Continuing Professional Training hours (20 hours if singly credentialed or 30 hours if dually credentialed); and, pay half of the required renewal fee in order to maintain their certification or licensure status.

Individuals who are granted retirement status are not eligible for reciprocity.

### INACTIVE STATUS

Certified or licensed practitioners, in good standing, may request to be placed on inactive status. Inactive status allows the practitioner to maintain their certification or license by payment of the required renewal fee. Continuing Professional Training is not required while the practitioner is on inactive status. A practitioner on inactive status may not actively practice in the field and is not eligible for reciprocity.

A certified or licensed practitioner can place their certification or license on inactive status at any time. However, it is not the intent of this policy for practitioners to enter inactive status to avoid the requirement to obtain Continuing Professional Training hours. Certification/licensure can be reactivated with submission of the renewal application and documentation of Continuing Professional Training hours. A practitioner who is reinstating from inactive status shall obtain the number of hours related to the time frame the certification/license was placed on inactive status up to 40 hours if singly credentialed, or 60 hours if dually credentialed. Under no circumstance will a practitioner be required to submit more than 40 Continuing Professional Training hours if singly credentialed, or 60 hours if dually credentialed.

**A practitioner on active military duty** and in good standing with the Board may be placed on inactive status upon request by the practitioner or through Board action. No reactivation fee and no Continuing Professional Training hours are required unless the practitioner is working as a military substance abuse specialist or other related addictions counselor. A military practitioner on inactive status is not eligible for reciprocity.

**Pre-Approved Sponsors for Continuing Professional Training /  
audit process**

## **PRE-APPROVED SPONSORS FOR CONTINUING PROFESSIONAL TRAINING**

A counseling related training activity offered by any of the following sponsors is approved for continuing professional training. No further approval is needed providing the sponsor's name appears on the certificate of attendance.

ACA	American Counseling Association
AMA	American Medical Association
APA	American Psychological Association
ATTC	Addiction Technology Transfer Center
BCE	Board of Counselor Examiners
CAPT	Center for the Application of Prevention Technology; and federally sponsored programs
	Courses related to addiction counseling, behavioral health, or prevention services from accredited post-secondary institutions & evidenced by transcript
IC&RC	International Certification & Reciprocity Consortium
NAADAC	National Association of Alcoholism & Drug Abuse Counselors
NASW	National Association of Social Workers
NBCC	National Board for Certified Counselors
	Other State Certification/Licensing Boards that credential Addiction Counselors and Prevention Specialists
SAMHSA	Substance Abuse & Mental Health Services Administration
SDAAPP	South Dakota Association of Addiction and Prevention Professionals
SDCA	South Dakota Counselor Association
	South Dakota Board of Examiners for Counselors and Marriage and Family Therapists
	South Dakota Community Behavioral Health
	South Dakota Correctional Behavioral Health
SDHSC	South Dakota Human Services Center

For any other training activities, the attendee needs to complete and submit the 'Request for Approval of Continuing Professional Training' form.

Organization sponsors or presenters not listed above, can request approval by completing and submitting the 'Educational Provider Status Agreement' form, along with the 'Request for Approval of Continuing Professional Training' form, and the \$25 service provider fee. (The service provider fee is not required for 'free' training activities.)

The forms can be downloaded from the BAPP website at [www.dss.sd.gov/bapp](http://www.dss.sd.gov/bapp).  
Requests must be submitted within 30 days before or after the activity is held.



Professional Training hours, a practitioner may not receive credit for more than fifteen (15) hours of teaching/training time if singly credentialed, or twenty (20) hours if dually credentialed, within any given compliance period. The following guidelines apply:

- Teaching activities must be accredited courses as designated by a post-secondary institution for which college credit is issued.
- Training activities must be trainings related to the addiction counseling or prevention services professions.
- Any training activities not on the approved provider list must be approved within thirty (30) days of the activity.
- All training must be completed within the applicable 2-year professional training compliance period.
- An instructor can receive credit for teaching or training one time per course/training activity within a three-year period.
- Patient lectures or public education lectures (i.e., those offered to schools or to public service groups) may not be used to meet the teaching and training requirements.

## **AUDIT FOR CONTINUING PROFESSIONAL TRAINING**

A maximum of 10% of the certified and licensed practitioners will be audited on a monthly basis every two years, in even-numbered years. If audited, the burden of proof to demonstrate adequate Continuing Professional Training is with the practitioner.

### **Audits will be conducted in the following manner:**

- a. The Board will notify each practitioner who has been randomly selected for an audit.
- b. The Board will ask the practitioner to submit a copy of the Continuing Professional Training documentation for each training activity attended. To show compliance with the Continuing Professional Training requirements, each practitioner must obtain proof of attendance and completion from the sponsoring organization for each course or training activity attended. The Certificates of Attendance or documentation must include: the practitioner's name; the sponsoring agency; the title of the training activity; the date of the training activity; the number of contact hours completed/earned; and, must be signed by a representative of the institution or organization sponsoring the training activity. (Certificates of attendance, letters, rosters, transcripts, etc., should be made available to attendees by the sponsoring agency or postsecondary institution.)
- c. The BAPP staff will review the documentation and verify the practitioner's 'Continuing Education/Training Report' form with the supporting documentation.
- d. If there is a discrepancy, the Board office will seek further information from the practitioner.
- e. False documentation will be cause for a referral to the Board of Directors.

Failure of a practitioner to comply with the Continuing Professional Training audit may result in the lapse of certification or licensure.

## IC&RC Spring meeting update

## Executive Director's Report – April 2018

### Exam Statistics:

IC&RC has had six months of exams being administered since our fall meeting (October through March). The office continues to work closely with SMT to refine the testing process.

In 2017, IC&RC administered 7,804 examinations (an increase from the 2016 total of 7,370) as per the following breakdown:

Exam	Total Administered
ADC	4,925
AADC	1,575
CCS	295
PR	643
PS	308
CCJP	58

From January 1-March 31, 2018, the total IC&RC exams administered was 1,932 per the following breakdown:

Exam	Cand Count
ADC	1155
AADC	385
CCJP	1
CS	84
PS	85
PR	222

### Practice exams:

ADC, CS, and PS practice exams were launched in 2014. The PR practice exam was launched in August 2016. The AADC practice exam was launched in July 2017. The total IC&RC practice exams administered in 2017 was 1,610. ADC, CS, AADC, and PS practice exams are all 50 questions, have a time limit of 60 minutes to complete, and is \$49.00. PR practice exam is 25 questions, has a time limit of 60 minutes to complete, and is \$30.00.

### International Certificates & Reciprocity:

International certificate options available include: certified professionals can purchase an original international certificate for a nominal fee; international certificate seals can be purchased from the IC&RC Office to place on jurisdiction specific certificates; boards can

produce their own international certificates for their certified professionals using an international certificate template provided by the IC&RC Office.

The IC&RC Office has processed 120 reciprocity applications thus far in 2018. The total number of reciprocity applications processed throughout all of 2017 was 435.

**Communication to/from member boards, administrators and delegates:**

A great deal of time and energy is spent responding to questions and concerns from board administrators, delegates, and committee chairs on a variety of topics. This is a critical component to our day-to-day operations of the IC&RC Office. We attempt to return calls and emails within a one-day period, if not sooner. Boards must be able to get questions answered correctly and timely with consistent responses. We feel this is being accomplished and is important to our organization. Additionally, we receive many calls from certified professionals with a variety of questions and concerns that we also address.

**Committee/Task Force Work:**

IC&RC's numerous committees and task forces were very busy during the past six months. Staff is directly involved in the work of all committees. There were approximately 42 committee/task force conference calls during the past six months which indicates how extremely busy committees are as well as the staff that support these committees and their work.

**Potential New Member Boards:**

South Carolina (PR), AK (PR), ME (PR), NE (PR).

**2018 IC&RC Fall Meeting:**

Monday-Wednesday, October 15-17 are the dates for our fall 2018 IC&RC meeting to be held at the Lord Elgin Hotel in Ottawa, Ontario. Additional details will be sent to all member boards and delegates in July of 2018. **PASSPORTS WILL BE REQUIRED.**

**2019 IC&RC Spring Meeting:**

Monday-Tuesday, April 8-9 are the dates for our spring 2019 IC&RC meeting to be held at the Galt House Hotel in Louisville, Kentucky. Additional details will be sent to all member boards and delegates in January of 2019.

**2019 IC&RC Fall Meeting:**

Monday-Tuesday, October 28-29 are the dates for our fall 2019 IC&RC meeting to be held at the DeSoto Hotel in Savannah, Georgia. Additional details will be sent to all member boards and delegates in July of 2019.

**Marketing:**

Marketing efforts at conferences over the past six months include: CADCA Conference in Maryland in February, the ATTOD conference in New York in March and the National Rx Drug Abuse & Heroin Summit in Atlanta in April. Upcoming marketing events: exhibiting at

Integrating Primary and Behavioral Health Care and Substance Abuse Prevention Conference in November in Charleston; exhibiting and partner at the NCAD Conference in August in Anaheim; exhibiting and presenting at the NPN Conference in August in Boston.

**CSAP Prevention Fellows:**

We have been involved with the CSAP (Center for Substance Abuse Prevention) Fellows Program for nine years. They require that all fellows complete the CPS process at the end of their two-year program. Nine groups of fellows have completed the credentialing process and are now fully certified. A new round of fellows has been chosen and will complete the CPS process in July 2018.

**Where have we been and what have we done:**

Here is just a sample of activities the staff has been involved in since our last meeting:

1. Numerous calls and emails with our current testing company, SMT, around a variety of testing issues.
2. Ongoing communication with our Federal Policy Liaison, Andrew Kessler.
3. Staff continues to participate on bi-monthly conference calls with board administrators to answer questions and provide various updates.
4. Monthly conference calls with the Executive Committee.
5. Facilitated webinar with new delegates and administrators prior to the spring 2018 meeting.
6. Staff held various webinars with SME's for all product development initiatives.
7. Working with Vendome on aspects of the 2018 NCAD Conference including workshop selections.
8. Bi-monthly conference calls with the CSC.
9. Draft 2018-2019 budget and review on conference calls with Treasurer, FC, and EC.
10. Prepared and distributed IC&RC Prevention Professional of the Year materials to boards in January.
11. Numerous conference calls with state representatives from NE regarding the IC&RC peer credential.
12. Ongoing compliance review of selected boards and follow-up for those requiring corrections.

13. Conference call with representative from the state of VT regarding the prevention credential.
14. Draft and distribute RFP to four testing companies for a new test administration company.
15. Respond to questions via email and conference calls with all 4 vendors in preparation for proposal submissions.
16. Review/rate proposals from 4 test administration companies and review/discuss with the Executive Committee.
17. Prepare summary of potential decommissioned boards, review with the Executive Committee, send correspondence to boards, review responses with the Executive Committee, and send final correspondence to boards to be decommissioned.
18. Facilitate webinar with CSAP prevention fellows on process and examination.
19. Staff coordinated and/or participated in the following product related activities:

**October:** CS cut score study, ADC practice exam question development

**November:**

**December:**

**January:** Korean ADC translated form, ADC Item Review webinars, PR form review and development

**February:** AADC Item Analysis Review

**March:** PS form review and development, AADC item writing, ADC item review webinars

**Coming events....**

ADC: JA, Item Analysis Review, form development

AADC: Item analysis review

PS: PS form review and development

CCJP:

CCS: Item analysis review

PR: PR: Item Analysis

Continue working on IC&RC's organizational development.

Research and secure IC&RC meeting venues for 2020.

Transition to new testing company.

Continuing product development.

Consider changing Board meeting dates



## Consider Changing Board Meeting Dates

	Month	Month	Month
<b>First Quarter</b>	<u>January</u> Week 1 Week 2 (portfolio review) Week 3 Week 4	<u>February</u> Week 1 Week 2 Week 3 Week 4	<u>March</u> Week 1 (Board Mtg) Week 2 (testing) Week 3 Week 4
<b>Second Quarter</b>	<u>April</u> Week 1 Week 2 (IC&RC) (SDAAP) Week 3 (Budget Reallocation) Week 4	<u>May</u> Week 1 Week 2 Week 3 Week 4	<u>June</u> Week 1 (Board Mtg) Week 2 Week 3 Week 4 (Fiscal year ends)
<b>Third Quarter</b>	<u>July</u> Week 1 Week 2 (Portfolio Review) Week 3 (Budget Due) Week 4	<u>August</u> Week 1 Week 2 Week 3 Week 4	<u>September</u> Week 1 (Board Mtg) Week 2 (testing) (SDAAP) Week 3 Week 4
<b>Fourth Quarter</b>	<u>October</u> Week 1 Week 2 (IC&RC) Week 3 Week 4	<u>November</u> Week 1 Week 2 Week 3 Week 4	<u>December</u> Week 1 (Board Mtg) Week 2 Week 3 Week 4

Board now meets first Thursday of the month in March / June / September / December (in red)  
Possibly change to third Thursday in February / May / August / November (in green)

### Notes:

- Lapse letters – beginning of each month
- State financial report necessary for Board's financial report is not received in time for first Thursday of the month
- Billing is usually done around the 15<sup>th</sup> of the month
- End of month is busy time with 'renewals'